

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

**MARQUETTE TASHUN MAXWELL, JR.
#112986**

PLAINTIFF

v.

NO: 3:19-cv-00286-LPR-JJV

**R. BURSE, Jailer; and
JORDAN, Jailer,
Mississippi County Detention Center**

DEFENDANTS

ORDER

The Court has reviewed the Partial Recommendation submitted by United States Magistrate Judge Joe J. Volpe and Plaintiff's objections. After conducting a *de novo* review, this Court adopts the Partial Recommendation in its entirety as its findings in all respects.

IT IS THEREFORE ORDERED that:

1. Plaintiff may proceed with his § 1983 claim that Defendant Burse violated his constitutional rights, in his individual capacity only, by failing to stop the May 4, 2019 attack and denying medical care for his injuries.
2. All other claims and Defendants are DISMISSED WITHOUT PREJUDICE for failure to state a claim upon which relief maybe granted.
3. It is certified, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order and the accompanying Judgment would not be taken in good faith.

Dated this 17th day of December 2019.

Lee P. Rudofsky
UNITED STATES DISTRICT JUDGE